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LORUSSO LOUD & KELLY LLP

Fax

To: Karl I. Tamai **From:** Marc A. Vivenzio
Fax: 703-746-4173 **Pages:** 9 pgs. (including fax cover)
Phone: 703-305-3066 **Date:** 9/5/2003
Re: 10/051,319 (TRG-301) **CC:**

 Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:**

Examiner Tamai,

Thank you for considering the attached documents.

Please feel free to contact me if you require any additional information.

Sincerely,



Marc A. Vivenzio

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CONFIDENTIAL NOTICE

The document transmitted by this facsimile is intended for the use of the individual or the entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering this document to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original facsimile to the above address via the U.S. Postal Service. Thank you.

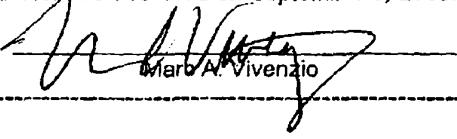
ATTORNEY'S DOCKET NO.: TRG-301

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Kraus et al.
Serial No.: 10/051,319
Filed: January 18, 2002
For: MULTI-CYLINDER STATIONARY INTERNAL
COMBUSTION ENGINE
Examiner: K. Tamai
Art Unit: 2834

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.6(d))

The undersigned hereby certifies that this document is being facsimile transmitted to Examiner
Karl I. Tamai in Group Art Unit 2834, Fax No. 703-746-4173 on September 5, 2003.


Marc A. Vivenzio

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF MARC A. VIVENZIO

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Sir:

I, Marc A. Vivenzio, hereby declare as follows:

1. I am an associate with the law firm of Lorusso Loud & Kelly LLP and a registered patent attorney with the United States Patent and Trademark Office, Registration No. 52,326.

2. I was assigned and have been personally involved in the prosecution of the above-referenced application U.S. Ser. No. 10/051,319 (hereinafter "the '319 application").

Serial No.: 10/051,319

-2-

Docket: TRG-301

3. This declaration is being submitted to verify facts relating to the submission of an Information Disclosure Statement ("IDS") mailed June 13, 2003.

4. It is my general practice to prepare an IDS whenever potentially relevant references are brought to my attention. As a matter of course, I personally prepare the IDS, Form PTO 1449 and a return receipt postcard (with sufficient postage) along with a certificate of mailing (set forth below the signature line or on a separate sheet attached after the signature page). I make at least one copy of the IDS including the certificate of mailing, Form PTO 1449, return Receipt Postcard and cited References for the firm's file. I then personally place the original documents in an envelope addressed to the Commissioner of Patents with sufficient postage and personally deposit the envelope and its contents with the United States Post Office.

5. On June 13, 2003, I prepared an IDS, Form PTO 1449, certificate of mailing, return receipt postcard and reference copies for submission to the USPTO in the '319 application. A copy of that submission (excluding the references) is attached hereto as Exhibit A. Of particular note are copies of the return receipt postcard and certificate of mailing set forth on the last page (page 3) of the IDS. I signed the certificate of mailing on June 13, 2003.

6. On June 13, 2003, I placed the signed IDS with executed certificate of mailing, Form PTO 1449, return receipt postcard with appropriate postage and copies of the cited references into an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Arlington, VA 22313-1450. I then deposited the envelope with the United States Post Office.

Serial No.: 10/051,319

-3-

Docket: TRG-301

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any registration resulting therefrom, declares: That he is an associate of the firm given a power of attorney to prosecute this case and is authorized to execute this declaration on behalf of said applicant; that the facts set forth in this declaration are true; and that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

LORUSSO LOUD & KELLY LLP

Date: 9-5-03

By:


Marc A. Vivenzio

ATTORNEY DOCKET NO.: TRG-301
DATE: September 5, 2003

09/05/2003 00:03 6177234609
SENT BY: LORUSSO;

LORUSSO LOUD & KELLY
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PAGE 05/09
PAGE 1

TRG-301

The "Received" stamp of the Patent Office
imprinted hereon acknowledges the filing of:
Information Disclosure Statement; Form PTO-1449;
5 References; European Search Report (EP02000661).
Description of paper and No.

Name of applicant
KRAUS et al.

Int'l. or Serial No.
10/051,319
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